UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/AC.96/SR.543
25 October 2000

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-first session

SUMMARY RECORD OF THE 543rd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 2 October 2000, at 10 a.m.

Temporary Chairman: Mr. PÉREZ-HERNÁNDEZ y TORRA (Spain)

Chairman: Mr. KHORRAM (Islamic Republic of Iran)

later: Mr. MOLANDER (Sweden)
(Vice-Chairman)

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GE.00-03123 (E)

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ANNUAL THEME: hcr@50: FROM RESPONSE TO SOLUTIONS

The meeting was called to order at 10.20 a.m.

OPENING OF THE SESSION (item 1 of the provisional agenda) (A/AC.96/LI/L.1)

1. The TEMPORARY CHAIRMAN declared the fifty-first session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees open.

STATEMENT BY THE OUTGOING CHAIRMAN

2. The TEMPORARY CHAIRMAN, speaking in his capacity as Chairman of the fiftieth session, thanked his colleagues on the Executive Committee and the staff of UNHCR for their cooperation during a year of office that he considered exceptional, not only in professional, but also in personal terms. He paid tribute to Mrs. Ogata's abilities, a rare combination of the capacity to act and the power of thought, and believed that she would leave her mark after the 10 years she had spent at the helm of UNHCR, a period characterized by many crises and difficulties of all kinds.

3. He warmly welcomed the news that the UNHCR staff member abducted in West Africa had been released, but was appalled at the deaths of the colleagues who had recently been assassinated in the course of their duties. The security of humanitarian personnel was a matter of concern to the entire United Nations system, other intergovernmental organizations and NGOs and should be UNHCR's top priority. A concerted effort, involving UNHCR's senior management and the Executive Committee, should be made to examine the issue urgently and to take concrete steps to ensure the safety of humanitarian actors.

4. Referring to the restructuring of the annual programme budget, the new composition of the Executive Committee and the reorganization of the pledging conference, he said that UNHCR should continue with its internal reform process. To enable it to perform at its best, it was also important that there should be a continuous, increasing and predictable flow of voluntary contributions; that would naturally require an increase in the number of donors, but also closer cooperation with the private sector and a more important role for the media. With regard to the protection regime, discussions should continue on the complementary roles of humanitarian action, human rights promotion activities and peacekeeping operations and on reconciliation measures. UNHCR should make use of the theoretical conclusions of such discussions to back up its own action.

5. While he had been Vice-Chairman of the Executive Committee, he had been to Kosovo, where many of the problems characteristic of humanitarian action had arisen, in particular with regard to coordination among the various humanitarian actors, collaboration with the military and the implementation of reconciliation programmes. As Chairman of the Executive Committee, he had visited the Islamic Republic of Iran and had understood the difficulties of countries like Iran, Pakistan and various African countries, which did not command the attention of the international community, but had for many years taken in enormous numbers of refugees.

6. He commended the admirable work UNHCR was doing, despite the difficulties, on behalf of some 22 million refugees around the world and the decision to arrange for an independent assessment of its operation in Kosovo. He called for solidarity with refugees and expressed the hope that World Refugee Day, which was at last to be instituted, would be an opportunity to renew that commitment every year in future.

ELECTION OF OFFICERS (item 2 of the provisional agenda)

7. Ms. KUNADI (India) nominated Mr. Khorram (Islamic Republic of Iran) for the office of Chairman.

8. Mr. SKOGMO (Norway) and Mr. RODRIGUEZ CEDEÑO (Venezuela) seconded the nomination.

9. Mr. Khorram (Islamic Republic of Iran) was elected Chairman by acclamation.

10. Mr. HUHTANIEMI (Finland) nominated Mr. Molander (Sweden) for the office of Vice-Chairman.

11. Mr. BURUSAPATANA (Thailand) and Mr. MCHUMO (United Republic of Tanzania) seconded the nomination.

12. Mr. Molander (Sweden) was elected Vice-Chairman by acclamation.

13. Mr. HASSAN (Nigeria) nominated Mr. Alfeld (South Africa) for the office of Rapporteur.

14. Mr. BLOKHIN (Russian Federation) seconded the nomination.

15. Mr. Alfeld (South Africa) was elected Rapporteur by acclamation.

16. Mr. Khorram (Islamic Republic of Iran) took the Chair.

STATEMENT BY THE CHAIRMAN

17. The CHAIRMAN said that he deplored the tragic deaths of several UNHCR staff in West Timor and Guinea. The murders were an affront to the peaceful and humanitarian principles that UNHCR strove to uphold. As Chairman, he would ensure that the issue of security for humanitarian personnel and in regions hosting refugees was the highest priority and hoped that the Committee would do likewise in taking its decisions.

18. He commended the achievements of Mrs. Ogata, who had brought humanitarian action to the forefront of global attention and given wise and exemplary guidance to UNHCR in its work on behalf of millions of refugees at a time of crisis in various areas of the world.

19. Nevertheless, many long-standing refugee situations had yet to be resolved and represented a heavy burden for the host countries concerned, one that was beyond their

economic, social and political strength. All States had a role to play in resolving such situations, in particular through enhanced dialogue with one another, including in the Executive Committee and in meetings of the Standing Committee. During his tenure as Chairman, he would work to promote that dialogue.

20. There were 22.3 million persons of concern to UNHCR in 150 countries around the world and especially in Africa and Asia. The fiftieth anniversary of UNHCR and, in 2001, that of the 1951 Convention relating to the Status of Refugees should provide an opportunity to reflect on the experience gained and, with formidable obstacles still remaining, to find new and innovative solutions for the future of humanitarian action.

21. Recalling his missions to Thailand and the Caucasus, he commended those States that had maintained their generous asylum policies despite the enormous economic, social and environmental constraints involved and called on the international community to support those countries that hosted large numbers of refugees.

22. Two of his priority areas were security and the enhancement of dialogue among all relevant parties and he called on donor countries to maintain their contributions to UNHCR.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (item 3 of the provisional agenda) (A/AC.96/LI/L.1)

23. The agenda was adopted.

ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (agenda item 4) (A/AC.96/938)

Opening statement by the United Nations High Commissioner for Refugees

24. Mrs. OGATA (United Nations High Commissioner for Refugees) said that she was honoured to introduce a very special guest, Mr. Kofi Annan, the first United Nations Secretary-General to address the Executive Committee. He was particularly welcome at a time when UNHCR staff were marking their sorrow and outrage at the brutal murders of three of their colleagues, Samson Aregahegn, Carlos Caceres and Pero Simundza in West Timor, and another, Mensah Kpognon, in Guinea. On the occasion of the fiftieth anniversary of UNHCR, a memorial would be dedicated to all UNHCR staff who had lost their lives serving the refugee cause.

25. Since she was shortly to leave UNHCR, she wished to reflect on her two terms of office. When she had taken office in 1991, the Cold War had just ended and people had been speaking of a new world order. There had indeed been changes for the better: democracy had spread across central and eastern Europe and Latin America and apartheid in South Africa had been defeated. Yet times had become complicated, not least in UNHCR's field of work. In 1991, nearly 2 million Iraqi Kurds had fled to Iran and Turkey and UNHCR had moved into northern Iraq, working closely with international military forces for the first time. In the following years, UNHCR had been constantly challenged to rethink its protection, assistance and solutions strategies, especially in the former Yugoslavia and central Africa. The foundation of protection

had remained legal, but ensuring protection had increasingly become an operational, practical, hands-on activity. UNHCR had become much more active in countries of origin, particularly when helping returnees reintegrate. At the same time, new patterns in conflicts had made forced population movements more fluid and complex than ever before. UNHCR had faced terrible dilemmas, frequently alone: in Bosnia and Herzegovina and Kosovo, real international engagement had come too late and, in the Great Lakes region, there had not been any meaningful international engagement since 1994.

26. There had also been successes for UNHCR over the past 10 years. The most important one had been the repatriation of millions of refugees. The African National Congress exiles had returned to post-apartheid South Africa and, in Mozambique, all 1.7 million refugees had returned home and, more importantly, stayed home. UNHCR had helped nearly 400,000 Cambodian refugees return home and the completion of repatriation from Thailand to Laos and the closure of the Pillar Point centre in Hong Kong had signalled the end of the 25-year-old Indochinese refugee saga. Those successes demonstrated that complex refugee problems could be solved when Governments were committed and resources were available.

27. With regard to unresolved refugee situations, she said there were some encouraging signs of progress. Minority returns were finally becoming a reality in Bosnia and Herzegovina and in Croatia. Rwanda had also made progress, but it needed new development investment to consolidate returns and foster reconciliation. Development actors must take over and the Government must have the political will to resolve the fundamental problems of power-sharing and democratization. Burundi, too, was at a crossroads, between peace and renewed conflict. If peace came, UNHCR was ready to help more than half a million refugees from Burundi to leave the United Republic of Tanzania and return home. Meanwhile, the Tanzanian Government must be helped to maintain its generous asylum policies. Lastly, in the Horn of Africa, determined international efforts had resulted in a ceasefire and helped address the worst consequences of the latest drought. A final peace settlement would open the way to solutions, both for people displaced recently and for the refugees from previous outflows.

28. Elsewhere, there were very worrying situations, particularly in Africa. In the Democratic Republic of the Congo, the theatre of a complex conflict, millions of people were suffering and little was being done to address their plight. The Lusaka Agreement might be the only existing framework for peace, but it had stalled. Should not more pressure be put on the belligerents and their supporters? The other very worrying region was West Africa, where repeated setbacks in implementing the Lomé Agreement were keeping half a million Sierra Leonean refugees from returning home. Worse still, fresh attacks in border areas of Guinea created the risk that instability would escalate and cause massive displacement in the region. Humanitarian assistance to Côte d'Ivoire and Guinea, the two countries hosting Liberia and Sierra Leonean refugees, would have to be coupled with security support.

29. With regard to other continents, she recalled that, when she had become High Commissioner, Afghans were the world's largest refugee population. Two and a half million Afghan refugees remained in exile today, even after the repatriation of more than 4 million people since 1992. Many more refugees would like to return, but there were obstacles, such as the ongoing conflict, the lack of economic opportunities or respect for human rights - particularly the rights of women - drought and the lack of resources for humanitarian operations. In Kosovo,

the massive international relief operation was winding down and the focus must now be on protecting non-Albanian minorities. In the Russian Federation, the fighting that had flared up in Chechnya in September 1999 had uprooted a quarter of a million people. UNHCR provided cross-border assistance, but could make little impact, since insecurity and the risk of kidnapping prevented it from working inside Chechnya and restricted its operations in the neighbouring republics.

30. A solution was in sight for the 100,000 Bhutanese refugees who had been languishing in camps in Nepal for seven years, although differences in interpretation were still an obstacle to their return. UNHCR had suggested a formula, which Nepal had accepted, but Bhutan had not. The situation in Timor was also very worrying. After the murder of the three UNHCR staff members, 125,000 refugees had had to be abandoned. UNHCR was committed to helping them and supporting the Indonesian Government, but that support came with conditions: the authorities must disarm and disband the militias and arrest and prosecute the killers of the three UNHCR colleagues. The list of situations where a solution remained elusive was frustratingly long. There were, for example, more than 400,000 Sudanese refugees spread across several African nations; refugees from Western Sahara were still waiting to return; 100,000 refugees were still in camps along the Thai-Myanmar border; many people had been displaced by still "frozen" conflicts in the south Caucasus; there were hundreds of thousands of displaced people in Colombia and half a million in Sri Lanka.

31. Looking to the future, she said there were five important areas where it was necessary to reflect, plan and take concrete action. Firstly, UNHCR's emergency preparedness and response capacity must continue to be strengthened. The emergency mechanisms established in 1992 had dramatically improved UNHCR's ability to respond to refugee crises: standby arrangements, particularly for staff, had been created and steps had been taken to raise the level of preparedness of governmental and NGO partners. But the humanitarian environment had changed since 1992 and UNHCR's initial response during the Kosovo refugee crisis had revealed a critical need to review the emergency mechanisms. Within the constraints of available resources UNHCR was therefore implementing a series of measures to increase its surge capacity, particularly in the areas of security, logistics, telecommunications and accommodation in the field.

32. The second area where intensified efforts were needed concerned the creation of a secure environment for refugee-populated areas and humanitarian operations. In eastern Congo and, more recently, West Timor, UNHCR had learned painful lessons about the tragic consequences that followed when refugees and perpetrators of violence were left together. Since 1997, therefore, UNHCR had advocated a "ladder of options", including the deployment of international civilian monitors or police with a view to strengthening local law enforcement mechanisms. In parallel, there must be decisive movement on improvements in staff safety conditions. It was essential to balance the need to be next to the refugees, often in very dangerous areas, with the requirement that staff should be kept safe. As part of its examination of current security arrangements, UNHCR had decided to reassess its benchmarks for suspending operations, evacuating staff and the eventual resumption of activities. Political support from the international community would be necessary, for UNHCR staff could protect refugees only if they were alive and safe.

33. The third area related to the development of new approaches to complex forced population movements. They were complex because asylum-seekers who were fleeing persecution, human rights violations and violence tended to travel with people seeking better economic opportunities. People in many countries were increasingly troubled by what they saw as an abuse of the system and the cost of giving asylum. Such valid concerns could not be ignored. It was, however, heartening that, at the October 1999 Tampere Summit, the European Union had committed itself to the full and inclusive application of the 1951 Convention. UNHCR itself was to launch special consultations with Governments, not to renegotiate the 1951 Convention, but to promote its full implementation.

34. The fourth area for consideration concerned the need to bridge the gap between humanitarian and development assistance in the transition from war to peace. Resources were readily available for high-profile humanitarian emergencies, but, when development investment was required to consolidate fragile returns, UNHCR had a much more difficult time getting the world's attention. In 1999, donors had called for greater cooperation on the part of United Nations agencies. Efforts had been made, but she was disappointed that that had not led to more backing and more financial support for the transition phase.

35. The fifth challenge was the promotion of coexistence in divided communities. When fighting ended and repatriation began, refugees often returned to live alongside the very people they had fought against. From Bosnia and Herzegovina to Rwanda and from Liberia to East Timor, UNHCR no longer struggled with refugee crises, but with returnee crises. It had therefore launched an initiative called "Imagine Coexistence". Pilot projects had started in Bosnia and Herzegovina and Rwanda. When planning or implementing projects, the question to be asked was whether they promoted or undermined coexistence. She believed that that was one of the fundamental humanitarian questions of the next decade.

36. UNHCR must make further efforts to adapt and become a much more modern organization if it wished to remain relevant and effective. Rapid emergencies and the increasing pressures for quick solutions put new demands on its capacity to manage staff and resources. But new information and communication technologies made it possible to operate more effectively in some of the world's most remote and insecure areas. The decentralization of financial and human resources management was crucial. That process had started in Africa and would perhaps continue in Asia; it must be accelerated. The implementation of the integrated systems project in 2001 would provide managers with a comprehensive view of their activities. UNHCR had introduced new policies on postings, promotions and contracts in January. The guiding principles were performance and accountability. The end result should be greater transparency, objectivity and fairness in UNHCR's personnel practices. That applied also to staff rotation policies. Better management of rotation was crucial in order to consolidate recent progress in gender equity and increase the representation of women among UNHCR's senior staff. Improving resource management naturally required the establishment of rigorous systems, as donors legitimately demanded. UNHCR must avoid becoming a bureaucratic, timid organization and must have the courage and determination to change and adapt.

37. Modernization would cost money, however, and she regretted that UNHCR had become an underfunded organization. The shortfall was greater than in past years. In Tanzania, camp maintenance work had had to be delayed and programmes cancelled and, in Rwanda, the

distribution of shelter packages to returnees had had to be suspended. The cutbacks had extended to activities that impacted directly on UNHCR's policy priorities for women, children and the environment, inter alia, education and training programmes and reforestation. They had hampered the process of decentralization and made long-term planning impossible. They had diminished UNHCR's credibility and strained relations with refugees, Governments and various implementing partners. UNHCR would be critically weakened if urgent action was not taken. She thanked Japan, the Netherlands, the Nordic countries, Switzerland and the United States for their support and made a personal appeal to donors, especially the European Commission, some European Governments and other countries whose support had recently declined or had never been commensurate with their economic possibilities. The global appeal, the mid-year report and the unified budget aimed to make UNHCR's needs clearer and its operations more transparent. UNHCR was reaching out to a wider circle of potential supporters in the private sector, the corporate world and the public at large. To support those efforts, it was building a more professional media relations network.

38. On 14 December 2000, the Refugee Education Trust would be launched to mark UNHCR's fiftieth anniversary. The Trust would give refugee adolescents in developing countries opportunities for post-primary education. In the words of the song chosen as the slogan for UNHCR's fiftieth anniversary, she exhorted member States to respect their commitment to protect the poorest of the poor, those who had lost their homes; to respect the humanitarian workers who were with them on the front lines; and, above all, to respect refugees. It was the faces of refugees that were the clearest mirrors of UNHCR's failures and successes. Positive results had given her the strength to continue; seeing the suffering of people had made her sad and angry, but had convinced her, every time, that UNHCR's work was needed.

39. Mr. ANNAN (United Nations Secretary-General) thanked Mrs. Ogata for the 10 years of service she had given to millions of the world's most unfortunate people. During that period, the nature of conflict had changed, with civilian populations becoming both the weapons and the targets of war. In some places, political leaders had exploited linguistic, religious or cultural differences and had encouraged groups to fear and hate each other, thereby provoking, deliberately and with carefully calculated brutality, the displacement of people. That had happened in the former Yugoslavia, in parts of the former Soviet Union and in the Great Lakes region of Africa. In other places, conflict had taken hold without such "ethnic" factors being paramount. In part, they had been a legacy of colonial rule or foreign occupation; and, in part, they had arisen simply out of the resentments and appetites that built up when an economy was mismanaged by a weak and corrupt State, especially in desperately poor countries with rich natural resources. In all such conflicts, warlords found political and economic advantage in terrorizing the civilian population, who were left with just two courses of action: for the young and able-bodied, to engage in the only viable economic activity left, namely, war; for the rest, to flee, if they could. Some fled across national frontiers to seek refuge in other countries, sometimes finding themselves better off than the local population, which did not benefit from the same assistance programmes. Those who did not flee also required protection.

40. Set up 50 years ago, UNHCR had become an agency administering relief around the world to a population much larger than that of many member States. And yet it had neither sovereign authority nor a regular budget. It was expected to keep order without weapons, in camps which were often used as bases by violent resistance movements. It was also expected to

care for millions of people and to finance that work by seeking voluntary donations from States that had many other claims on their resources. It was accused, sometimes, of doing the ethnic cleansers' work for them, when its mandate required it to provide safe transport and places of refuge for potential victims. And it was accused, at other times, of narrow legalism, when its mandate did not allow it to offer the same protection to the internally displaced as to refugees. Yet when it was given the task of helping the internally displaced, the funds to do so were rarely forthcoming. Whatever solutions were found for improving the lot of the internally displaced, it would require a very substantial and sustained commitment of resources and better coordination of all efforts. Too often, the decisions of donor Governments had ulterior political motives. Humanitarian work was being abused, becoming a substitute for political action to address the root causes of mass displacement. UNHCR had become part of a "containment strategy", by which the more fortunate and powerful countries sought to keep the problems of the poorer countries at arm's length. Was it not true that more generous humanitarian aid funding was given for relief efforts in countries close to the frontiers of the prosperous world than for remoter parts of the world such as Asia or Africa? The poor countries were expected to show generosity by taking in hundreds of thousands of refugees, while the rich countries did not stint on the precautions they took to ensure that as few asylum-seekers as possible ever reached their shores.

41. He and Mrs. Ogata had worked together to bring greater coherence to the United Nations system; to remind Member States that mandates must be matched with resources and with political will; and to forge new partnerships with civil society and the private sector. The most painful thing for both of them was the fact that they still could not guarantee the safety of their colleagues in the field - even less so today than 10 years ago. Recently, three UNHCR staff members had been murdered in West Timor and another in Guinea. All in the United Nations system - staff members and Member States alike - must do more to reduce the risks run by humanitarian workers.

42. The best tribute to Mrs. Ogata would be active support for UNHCR and its work in three main areas. First, the notion of asylum must be strengthened; States must resist the temptation to deal with their real or perceived immigration problems by limiting the protection they gave to refugees or by denying asylum-seekers access to their territory. He welcomed UNHCR's proposal to launch global consultations with Governments, aimed at revitalizing the protection regime and reaffirming the centrality of the 1951 Convention. Secondly, financial support for UNHCR remained vital. Successive budget reductions had involved cancelling or suspending activities crucial to the welfare of refugees. Even so, UNHCR projected a significant shortfall at the end of the year. It was essential to improve UNHCR's system of funding. Lastly, he appealed to all States to do more to ensure the safety of humanitarian workers in their territory, whether United Nations staff or staff of other agencies or NGOs. He would soon be submitting a report to the General Assembly on ways of improving staff security. He noted that humanitarian workers were killed, not despite the fact that they protected and helped vulnerable people, but precisely because they did so. Those who served the international community were entitled to expect Member States not only to provide security, but also to bring to justice those who violated it.

43. Ms. BERTINI (World Food Programme) welcomed the United Nations Secretary-General's statement that staff security was neither a luxury nor an option. She agreed with him and the High Commissioner that the security of humanitarian workers worldwide must be an absolute priority. There should be no tolerance whatsoever by the United Nations or by any Member State of the perpetrators of crimes against humanitarian workers, with which WFP was all too familiar, having lost 27 staff members in recent years. As she had said in a statement to the Security Council, United Nations staff members gave everything to the cause: they should not have to give their lives.

44. She paid tribute to Mrs. Ogata. As the first woman to head UNHCR and the second to lead a United Nations agency, Mrs. Ogata had shown rare determination and would leave a rich legacy. Mrs. Ogata had distinguished herself in particular by her willingness to become involved in the field and her efforts to strengthen UNHCR's relations with the Security Council. She thanked Mrs. Ogata for being an invaluable colleague and friend.

45. Mr. Molander (Sweden), Vice-Chairman, took the chair.

46. Mr. TAKASU (Japan) thanked the Secretary-General for his presence, which was a powerful statement of solidarity. Like the three previous speakers, he was very concerned about the safety of humanitarian staff. He was pleased that concrete proposals by the Executive Committee would be considered in the course of the session, but he also believed that Member States had a responsibility to adopt legislative frameworks for the protection of humanitarian workers. He therefore reserved his delegation's right to make an official proposal to that effect at the next meeting.

47. Mr. RUDDOCK (Australia) said that, while he welcomed the generous contributions made by the Islamic Republic of Iran and by Pakistan, he wished to emphasize that that aid should not be used in such a way as to benefit certain groups at the expense of others, i.e. in a way that might cause resentment.

48. Mr. CHOWDHURY (Bangladesh) said he deplored the fact that it was frequently the media that determined what countries would receive aid by giving more extensive coverage to particular crises. As a result of the lack of media visibility, Bangladesh, as a host country, was almost solely responsible for the refugees from Myanmar.

49. Mr. KAMBINGA (Democratic Republic of the Congo) expressed his personal thanks to the High Commissioner for her efforts on behalf of Africa in general and his country in particular. He would nevertheless appreciate more details concerning the means she intended to use to put direct pressure on the parties to the ongoing conflict in the Democratic Republic of the Congo.

50. Mrs. OGATA (United Nations High Commissioner for Refugees) said she agreed with the statement made by the representative of Japan. She would be very pleased to respond to a concrete proposal when he had submitted one. With regard to Pakistan and the Islamic Republic of Iran, she said it was vital to do everything possible to avoid premature returns, while at the same time ensuring a balance between the various types of assistance. She was aware of the need to focus more closely on the Afghan refugees and assured the delegation of Australia that

UNHCR was working to find rapid solutions to that problem. Replying to the representative of Bangladesh, she said that UNHCR's job was to seek solutions both with countries of origin and with countries of asylum. For UNHCR to be able to carry out that task, its voice must be heeded by all the actors concerned, and that meant that they themselves must be aware of the problem. It was therefore very important that UNHCR itself should be able to keep the attention not only of the world media, but also of parliamentarians and NGOs focused on crisis situations. Lastly, with regard to the conflict in the Democratic Republic of the Congo, she said that political action was essential. In particular, negotiations could be organized in neighbouring countries, possibly with the support of key world political leaders. UNHCR's role was, however, not to enter into the realm of politics, but to concentrate on the human cost of conflicts, as it had always done, for example by drafting a humanitarian protocol.

The meeting rose at 1 p.m.